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3 Visalia, CA 93279
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5 Attorneys for
ECCO Equipment Corporation

8 UNITED STATES DISTRICT COURT
FOR THE
9 NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

11 UNITED STATES, For the Use of
ECCO EQUIPMENT CORPORATION,

Civil Action File
No. C 07-01568 MJJ

Plaintiff,

vs.

STIPULATION FOR DISMISSAL
OF ACTION; ORDER

15 CENTRAL VALLEY CONSTRUCTION, INC.;
16 CKY, INC., TPA, INC., AMERICAN
CONTRACTORS INDEMNITY COMPANY, and
DOES 1-20,

FRCP 41

Defendants.

19 AND RELATED CROSS ACTIONS

Plaintiff, ECCO EQUIPMENT CORPORATION, and defendants/cross-
claimants CENTRAL VALLEY CONSTRUCTION INC., CKY, INC., TPA, INC.,
TPA-CKY JOINT VENTURE, AMERICAN CONTRACTORS INDEMNITY COMPANY,
ANTHONY ARNAIZ, and PHILLIP VALLEJO enter into the following
stipulation:

26 | 1. The Parties hereto stipulate to the dismissal of the

NATHAN D. IDE
ATTORNEY AT LAW
VISALIA, CA

STIPULATION FOR DISMISSAL OF ACTION
AND ORDER

1 complaint filed by ECCO EQUIPMENT CORPORATION, with each party to
2 bear their own fees and costs.

3
4 Dated: 2/26/09

Nathan D. Ide
NATHAN D. IDE,
Attorney for Plaintiff
ECCO EQUIPMENT CORPORATION

GANZER & WILLIAMS

9 Dated: _____

By: _____
JAMES E. GANZER, Attorneys for
CENTRAL VALLEY
CONSTRUCTION, INC.

MUSICK, PEELER & GARRETT LLP

13 Dated: _____

By: _____
JACK W. FLEMING, Attorneys for
CKY, INC., TPA, INC.,
TPA/CKY JOINT VENTURE
AMERICAN CONTRACTORS
INDEMNITY COMPANY

HERUM CRABTREE BROWN

20 Dated: _____

By: _____
JENNIFER K. WHIPPLE,
Attorneys for
PHILLIP VALLEJO

23 Dated: _____

By: _____
MICHAEL F. BABITZKE,
Attorney for
ANTHONY ARNAIZ

NATHAN D. IDE
ATTORNEY AT LAW
VISALIA, CA

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5 NATHAN D. IDE,
6 Attorney for Plaintiff
7 ECCO EQUIPMENT CORPORATION

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12 GANZER & WILLIAMS

13 Dated: _____ By: _____
14 JAMES E. GANZER, Attorneys for
15 CENTRAL VALLEY
16 CONSTRUCTION, INC.

17
18 MUSICK, PEELER & GARRETT LLP

19 Dated: _____ By: _____
20 JACK W. FLEMING, Attorneys for
21 CKY, INC., TPA, INC.,
22 TPA/CKY JOINT VENTURE
23 AMERICAN CONTRACTORS
24 INDEMNITY COMPANY

25
26 HERUM CRABTREE BROWN

27 Dated: _____ By: _____
28 JENNIFER K. WHIPPLE,
29 Attorneys for
30 PHILLIP VALLEJO

31 Dated: 2-26-09 
32 MICHAEL F. BABITZKE,
33 Attorney for
34 ANTHONY ARNAIZ

NATHAN D. IDE
ATTORNEY AT LAW
VIRALIA, CA

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STIPULATION FOR DISMISSAL OF ACTION
AND ORDER

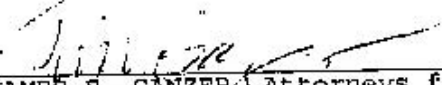
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3

4 Dated: _____

NATHAN D. IDE,
Attorney for Plaintiff
ECCO EQUIPMENT CORPORATION

GANZER & WILLIAMS

5
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9 Dated: 5.27.09 _____

By: 
JAMES E. GANZER, Attorneys for
CENTRAL VALLEY
CONSTRUCTION, INC.

MUSICK, PEELER & GARRETT LLP

10
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13 Dated: _____

By: _____
JACK W. FLEMING, Attorneys for
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TPA/CKY JOINT VENTURE
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By: _____
JENNIFER K. WHIPPLE,
Attorneys for
PHILLIP VALLEJO

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23 Dated: _____

By: _____
MICHAEL F. BABITZKE,
Attorney for
ANTHONY ARNAIZ

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-2-

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NATHAN D. IDE,
Attorney for Plaintiff
ECCO EQUIPMENT CORPORATION

GANZER & WILLIAMS

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By: _____
JAMES E. GANZER, Attorneys for
CENTRAL VALLEY
CONSTRUCTION, INC.

MUSICK, PEELER & GARRETT LLP

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11
12
13 Dated: 2/27/09

By: Jack W. Fleming
JACK W. FLEMING, Attorneys for
CKY, INC., TPA, INC.,
TPA/CKY JOINT VENTURE
AMERICAN CONTRACTORS
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HERUM CRABTREE BROWN

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By: _____
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Attorneys for
PHILLIP VALLEJO

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23 Dated: _____

By: _____
MICHAEL F. BABITZKE,
Attorney for
ANTHONY ARNAIZ

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NATHAN D. IDE,
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By: _____
JAMES E. GANZER, Attorneys for
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CONSTRUCTION, INC.

MUSICK, PEELER & GARRETT LLP

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By: _____
JACK W. FLEMING, Attorneys for
CKY, INC., TPA, INC.,
TPA/CKY JOINT VENTURE
AMERICAN CONTRACTORS
INDEMNITY COMPANY

HERUM CRABTREE BROWN

14
15
16
17
18
19
20 Dated: Feb. 26, 2009

By: Jennifer K. Whipple
JENNIFER K. WHIPPLE,
Attorneys for
PHILLIP VALLEJO

21
22
23 Dated: _____

By: _____
MICHAEL F. BABITZKE,
Attorney for
ANTHONY ARNAIZ

24
25
26
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VIRALIA, CA

-2-

STIPULATION FOR DISMISSAL OF ACTION
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ORDER

Pursuant to the stipulation of the parties, the complaint of ECCO EQUIPMENT CORPORATION is dismissed. The Court, finding the balance of the claims lacking original Federal jurisdiction, dismisses the balance of the action and counter/cross-claims pursuant to 28 U.S.C. §1367(c)3.

IT IS SO ORDERED.

Susan Blanton

Dated: _____

JUDGE

NATHAN D. IDE
ATTORNEY AT LAW
VISALIA, CA

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STIPULATION FOR DISMISSAL OF ACTION
AND ORDER